



IFW

PTO/SB/21 (09-04)  
Approved for use through 07/31/2006. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE  
Under the Paperwork Reduction Act of 1995, no persons are respond to a collection of information unless it displays a valid OMB control number.

|   |                        |                   |
|---|------------------------|-------------------|
| <b>TRANSMITTAL FORM</b><br><br>(to be used for all correspondence after initial filing) | Application Number     | 10/685,963        |
|   | Filing Date            | October 15, 2003  |
|   | First Named Inventor   | Richard James Axe |
|   | Art Unit               | 3744              |
|   | Examiner Name          |                   |
| Total Number of Pages in This Submission  | Attorney Docket Number | 1-24798           |

| ENCLOSURES (Check all that apply)   |  |   |
|---|--|---|
| <input type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input type="checkbox"/> Amendment/Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input checked="" type="checkbox"/> Information Disclosure Statement<br><br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Reply to Missing Parts/<br>Incomplete Application<br><input type="checkbox"/> Reply to Missing Parts<br>under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a<br>Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation<br>Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CID, Number of CD(s) _____<br><input type="checkbox"/> Landscape Table on CID | <input type="checkbox"/> After Allowance Communication to TC<br><input type="checkbox"/> Appeal Communication to Board<br>of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to TC<br>(Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Other Enclosure(s) (please identify<br>below):<br>Receipt post card<br>Foreign references<br>PTO-1449 |
| Remarks   |  |   |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT |                                 |          |        |
|--|---------------------------------|----------|--------|
| Firm Name                                  | MacMillan, Sobanski & Todd, LLC |          |        |
| Signature                                  |                                 |          |        |
| Printed name                               | Oliver E. Todd, Jr.             |          |        |
| Date                                       | December 2, 2004                | Reg. No. | 24,748 |

| CERTIFICATE OF TRANSMISSION/MAILING   |              |      |                  |
|---|--------------|------|------------------|
| I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below: |              |      |                  |
| Signature   |              |      |                  |
| Typed or printed name   | Geena Licata | Date | December 2, 2004 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: )  
Richard James Axe et al. )  
Serial No. 10/685,963 ) Examiner: (Unassigned)  
Filed: October 15, 2003 ) Group Art Unit 3744  
Confirmation No. 7955 ) Attorney Docket 1-24798  
For: Air Conditioning System )

---

Commissioner For Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Information Disclosure Statement  
In Accordance With 37 CFR 1.97 And 1.98

Honorable Sir:

For the convenience of the United States Patent and Trademark Office and pursuant to 37 CFR 1.97 and 1.98, record is hereby made of information which the Patent Office may wish to consider in connection with its examination of the above-identified patent application. Enclosed is a list of all patents, publications and other information submitted for consideration along with a legible copy of any non U.S. patent documents. This Information Disclosure Statement should not be considered as a representation that a search has been made, as a representation that no other potentially material references may exist, or as an admission that the information cited in this statement is, or is considered to be material to patentability as defined in 37 C.F.R. §1.56(b).

The cited prior art was cited in an October 8, 2004 search report in applicant's corresponding European patent application.

Applicant's undersigned attorney certifies that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign/International patent office in a counterpart patent application not more than three months prior to the filing date of this Statement.

Applicant's undersigned attorney certifies that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of applicant's undersigned attorney after making reasonably inquiry, was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of this Statement.

It is respectfully submitted that applicant's claimed invention is patentable over the enclosed art. Early and favorable action is solicited.

Respectfully submitted,

By Oliver E. Todd, Jr.  
Oliver E. Todd, Jr.  
Reg. No. 24,746

Enclosures

MacMillan, Sobanski & Todd, LLC  
One Maritime Plaza  
Fourth Floor  
720 Water Street  
Toledo, Ohio 43604

(419) 255-5900  
Fax (419) 255-9639

U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICEATTY. DOCKET NO.  
1-24798SERIAL NO.  
10/685,963**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**APPLICANT  
Richard James Axe et al.FILING DATE  
October 15, 2003GROUP  
3744**U.S. PATENT DOCUMENTS**

| EXAMINER<br>INITIAL | DOCUMENT<br>NUMBER | DATE       | NAME            | CLASS | SUBCLASS | FILING DATE<br>IF APPROPRIATE |
|---------------------|--------------------|------------|-----------------|-------|----------|-------------------------------|
|                     | 4,963,174          | 10/16/1990 | Payne           | 62    | 87       |                               |
|                     | 5,701,755          | 12/30/1997 | Severson et al. | 62    | 402      |                               |
|                     | 5,461,882          | 10/31/1995 | Zywiak          | 62    | 401      |                               |
|                     |                    |            |                 |       |          |                               |
|                     |                    |            |                 |       |          |                               |
|                     |                    |            |                 |       |          |                               |
|                     |                    |            |                 |       |          |                               |
|                     |                    |            |                 |       |          |                               |
|                     |                    |            |                 |       |          |                               |
|                     |                    |            |                 |       |          |                               |
|                     |                    |            |                 |       |          |                               |
|                     |                    |            |                 |       |          |                               |
|                     |                    |            |                 |       |          |                               |
|                     |                    |            |                 |       |          |                               |
|                     |                    |            |                 |       |          |                               |
|                     |                    |            |                 |       |          |                               |

**FOREIGN PATENT DOCUMENTS**

| EXAMINER<br>INITIAL | DOCUMENT<br>NUMBER | DATE      | COUNTRY        | CLASS | SUBCLASS | TRANSLATION<br>YES NO |
|---------------------|--------------------|-----------|----------------|-------|----------|-----------------------|
|                     | 2,087,540          | 5/26/1982 | United Kingdom |       |          |                       |
|                     |                    |           |                |       |          |                       |
|                     |                    |           |                |       |          |                       |
|                     |                    |           |                |       |          |                       |
|                     |                    |           |                |       |          |                       |
|                     |                    |           |                |       |          |                       |

**OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)**

|  |  |  |
|--|--|--|
|  |  |  |
|  |  |  |
|  |  |  |

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.